

SWINDERBY PARISH COUNCIL

MINUTES OF THE EXTRAORDINARY SWINDERBY PARISH COUNCIL MEETING

held on 16th March 2021

Held remotely online

Present: Councillors Cllrs G Lloyd (Chair), L Carter (Vice Chair), J Gagg, R Hodgson, N Marris, G Beales and S Longson

1. **Public Forum – No attendees.**
2. **To receive any apologies for absence**
 Received from Sue Aikman and Cllr G Beales and Cllr J Gadd would need to leave the meeting early to attend other online meetings.
3. **To receive any declarations of interest**
 None.
4. **To consider additional support for responding to future planning applications.**

Brownfield Site

Cllr Lloyd briefly outlined our current understanding regarding the deeds and outline planning permission signed in 2017 and our commitment to the obligations made on behalf of the parish at that time. There was ongoing feedback during this stage and these minutes reflect comments made by other councillors at the time.

- i. The proposed development will result in a substantial increase in the number of dwellings in the parish above our allocation against the Central Lincolnshire Local Plan. A 15% growth for the parish would result in 46 dwellings being built in the parish. In the latest monitoring update, produced by NKDC, we are already 80 dwellings above the allocation and the monitoring plan takes no account of the 20 units for the elderly or some of the potential infill.
- ii. The size and scale of the brownfield development makes this unusual and the fact the parish council is a signatory to the agreement in 2017 focusses our minds on our obligations.
- iii. There is uncertainty over the future of the S106 agreement made in 2017 and the obligations made by the council on behalf of the parish resulting in the outline planning permission being signed on their behalf. This uncertainty is a result of conflicting information we are receiving, our lack of understanding of the law underpinning planning applications and key processes.
- iv. Even if the current S106 is not legally binding it is morally binding because of who we are.
- v. In our view if there are substantial changes to the planning and associated obligations, then there is a need for further consultations with the residents focussed on the brownfield site.

- vi. There is a desire to discuss with the developer but because of some of the advice we are receiving we are uncertain as to the nature of these discussions. We have outlined our position on several occasions to the developer.
- vii. There is agreement that we need to seek further advice and guidance and one of the expected outcomes would be to identify our next steps. We accept that the advice from NKDC cannot give value judgements because they are the deciding body. We are not certain that is helpful to our situation, but it is created by the situation we are all in.

Specifically

Cllr J Gagg in his opinion a new planning application would result in the present S106 being superseded and that should result in further consultation with residents

Cllr G Beales stated that we need clarity regarding the process required in negotiating a new S106 and the expected role of the parish council.

Cllr L Carter empathised the need for guidance and support and suggested we could approach the planning departments at other councils. In short, where are we going to get the advice we require from?

Cllrs S Longson and R Hodgson agreed with the other councillors on the points being made and suggested that perhaps we need to consult our MP in the near future.

It was noted by all that parish councils do not have the structure and associated personal to provide support our decision making process and this will be a national issue.

A general discussion then took place centred on the above points, the recent email we had received from Cllr Thompson (LCC) and advice we have received from others. We are also expecting a response from NKDC planners to specific questions sent to them by the parish council.

Points made during the discussion.

If the plans or S106 are modified substantially then we would need new consultations on the brownfield site. If new plans are submitted, then consultation will again be needed.

We have been well supported by Cllr P Overton (NKDC) and Cllr M Thompson (LCC)

We need to be clear regarding the process involved if a new S106 is required and what is our role as a parish council. Furthermore, are there any historic carry forwards related to the present 106 and outline planning permission. It was noted that the last survey regarding this site was undertaken in Nov 2020 when over 90% of the parish who responded indicated a preference for:

Development of the Produce World site as already approved and limited to this site. This would involve up to 120 dwellings, up to 1,500 sqm of B1 commercial space, up to 20 units senior living accommodation, communal play/recreational space, community car park, shop and green spaces. This agreement, outline planning permission was signed by the Parish Council and others in December 2017.

Following these discussions the following were resolved.

Actions Once the email from NKDC is received circulate asap and our response may trigger the following.

- a) Request further support from LCC via Cllr Thompson regarding the issues raised in the meeting or Cllr Overton NKDC.
- b) Contact our local MP
- c) Seek advice and guidance from other organisations.
- d) The advice and guidance need to be linked to where we are now in the process.

Pre application consultation.

The issue of pre-application community consultation was raised, and the question asked regarding at what stage should a parish council respond. We should reflect the views of the residents; but their views are unknown to us at the pre-application stage. If we must respond we need to be consistent in our response based upon predetermined guidelines. Also, at the pre-application stage when forms are circulated to the residents should the option of neutral comment be included rather than a binary choice of support or object.

Actions

- a) It was resolved that Cllr Lloyd would raise these issues with LALC and NALC
- b) Councillors would book ourselves on a relevant planning course.

5. Date of next meeting – 12th April 2021

Meeting Closed at 9:25 pm.